

Adopted at Meeting of 9/9/76

## BOARD OF APPEAL REFERRALS

September 9, 1976

1. Z-3645 George F. Hanley  
43 Nonantum Street, Brighton
2. Z-3648 Prentice Realty Trust; Antonio D'Alessio (lessee)  
112-116 State Street, Boston
3. Z-3651-3653 Philip X. Carr  
220-222-224 Bunker Hill Street and  
91 School Street, Charlestown
4. Z-3654 Roman Catholic Archbishop of Boston  
420 Pond Street, Jamaica Plain
5. Z-3655 Frank Piazza  
43-45 Granger Street, Dorchester
6. Z-3656-3657 Edward Vozzella and James F. Mahoney  
2480-2484 Centre Street, West Roxbury
7. Z-3659 Edward Seferian  
221-223 Hancock Street, Dorchester
8. Z-3660 First and Second Unitarian Congregational Church  
64 Marlborough Street, Boston
9. Z-3662 Greater Boston Fund for International Affairs  
28-30 Mount Vernon Street, Boston
10. Z-3663 Angelo Zagarelli  
24 Peaceable Street, Brighton
11. Z-3668 Vendome Condominium Trust - Rolly-Michaux Galleries  
154-170 Commonwealth Avenue and 290 Dartmouth Street, Boston
12. Z-3669 Thomas J. Benner  
19-21 Woodward Street, South Boston
13. Z-3670 Edward A. Lang  
21-23 Pratt Street, Brighton
14. Z-3671 L & S Realty  
119-127 Orleans Street, East Boston
15. Z-3672 Nicholas Shaheen  
167-169 Spring Street, West Roxbury
16. Z-3675 Colonial Provision Co., Inc.  
301 Southamptton Street, Boston
17. Z-3678 Savin Hill Yacht Club, Inc.  
400 William T. Morrissey Boulevard, Dorchester

## MEMORANDUM

September 9, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Hearing: 9/14/76

Petition No. Z-3645  
George J. Hanley  
43 Nonantum Street, Brighton  
near Oak Square

2½-story frame structure - residential (R-.5) district.

Purpose: to erect one-car garage addition to one-family dwelling.

## Violations:

	<u>Required</u>	<u>Proposed</u>
Section 19-1. Side yard is insufficient.	10 ft.	5 ft.
Section 20-1. Rear yard is insufficient.	4 ft.	30 ft.

Concrete block garage is located under a roofed open porch at the rear of the dwelling. Yard deficiencies are minimal. Neighbors have no objection.  
Recommend approval.

VOTED: In reference to Petition No. Z-3645, brought by George J. Hanley, 43 Nonautum Street, Brighton, for two variances to erect a one-car garage addition to a one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Yard deficiencies are minimal. Neighbors have no objection.



Z-3645  
43 NONANTUM ST.  
(BRI.)





Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3648  
Prentice Realty Trust  
Antonio D'Alessio (lessee)  
112-116 State Street, Boston  
near Merchants Row

Six-story structure - general business (B-8) district.

Purpose: to erect a 4' x 4' projecting sign.

Violations:

Section 11-2. Exposed guy wires and/or turnbuckles are not allowed.

Section 11-2. The registered trademark of a specific commodity may not occupy more than 25% of the area of a sign.

Property is located in a conservation section of the Waterfront Project. Sign, which would indicate location of pizza and sandwich shop, is contrary to objectives of the Urban Renewal Plan which insure the preservation and improvement of individual properties. "Coke" trademark grossly exceeds code allowance. Recommend denial.

VOTED: In reference to Petition No. Z-3648, brought by Prentice Realty Trust and Antonio D'Alessio, 112-116 State Street, in the Waterfront Urban Renewal Area, for a conditional use to erect a projecting sign in a general business (B-8) district, the Boston Redevelopment Authority recommends denial. Property is located in a conservation section of the Waterfront Project. Sign, which would indicate location of a pizza and sandwich shop, is contrary to objectives of the Urban Renewal Plan which insure the preservation and improvement of individual properties. "Coke" trademark grossly exceeds code allowance.





Z-3648  
112-116 STATE ST.  
(B.P.)



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petitions Nos. Z-3651-3653  
Philip X. Carr  
220-222-224 Bunker Hill Street and  
91 School Street, Charlestown

Three frame structures (2½, 2, 2½ stories) - local business (L-1) district.

Purpose: to combine buildings for occupancy as funeral home.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. A funeral home is conditional in an L-1 district.

Existing funeral home at #220 would incorporate abutting row structures. Facility expansion would improve the properties. Sufficient off-street parking is already provided. Recommend approval with design review proviso.

VOTED: In reference to Petitions Nos. Z-3651-3653, brought by Philip X. Carr, 220-224 Bunker Hill Street and 91 School Street, in the Charlestown Urban Renewal Area, for a conditional use to combine buildings for occupancy as funeral home in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Facility expansion would improve the properties. Sufficient off-street parking is already provided.



2-3651-53  
220-224 BUNKER HILL ST  
91 SCHOOL ST.  
(Chsn.)





Board of Appeal Referrals 9/9/76

Hearing: 9/9/76

Petition No. Z-3654  
Roman Catholic Archbishop of Boston  
420 Pond Street, Jamaica Plain  
near Avon Street

Children's home - single-family (S-.3) district.

Purpose: to change occupancy from children's home and administrative facilities to children's home, administrative facilities, and day care center.

Violation:

Section 8-7. A day care center is conditional in an S-.3 district.

Day care facility would accommodate 50 children. Adequate play space and off-street parking are existing. Proposal would not require structural changes. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3654, brought by the Roman Catholic Archbishop of Boston, 420 Pond Street, Jamaica Plain, for a conditional use for a change of occupancy from children's home and administrative facilities to children's home, administrative facilities, and day care center in a single-family (S-.8) district, the Boston Redevelopment Authority recommends approval provided facility complies with all City and State day care regulations.



Z-3654  
420 POND ST  
(J.P.)





Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petition No. A-3655  
Frank Piazza  
43-45 Granger Street, Dorchester  
near Duncan Street

2½-story frame structure - residential (R-.8) district.

Purpose: to subdivide land.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area is insufficient.	6,500 sf	5,760 sf

Proposed subdivision involves 270 square feet of land to allow petitioner to supply abutting lot with space for off-street parking. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3655, brought by Frank Piazza, 43-45 Granger Street, Dorchester, for a variance to subdivide land in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the proviso that the land be used only for off-street parking.



Z-3655  
43-45 GRANGER ST.  
(DOR.)





Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petitions Nos. Z-3656-3657  
Edward Vozzella and James F. Mahoney  
2480-2484 Centre Street, West Roxbury  
at Maple Road

14,043 square feet of vacant land - single-family (S-.5) district.

Purpose: to erect two two-family dwellings.

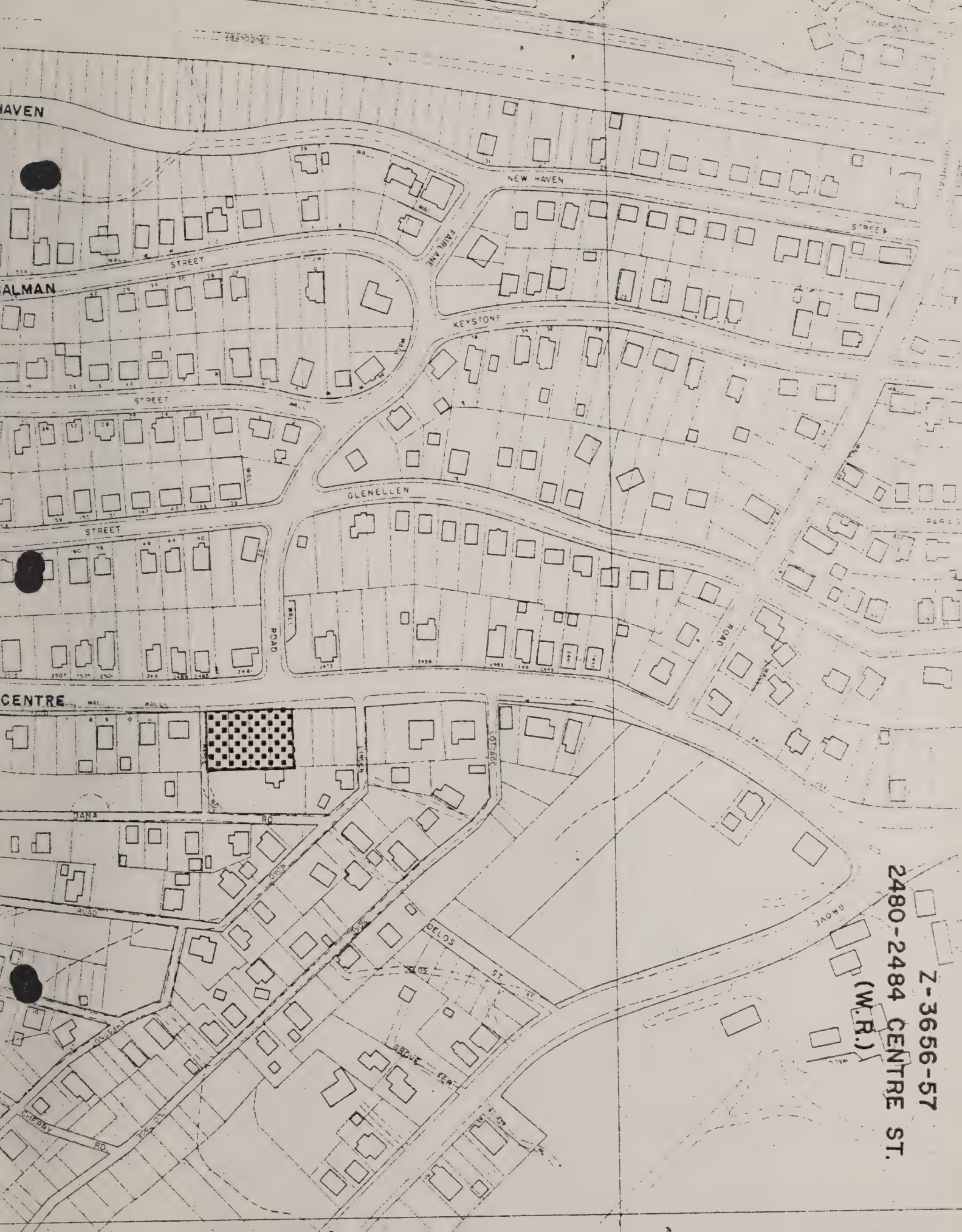
Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A two-family dwelling is forbidden in an S-.5 district.		
Section 10-1. Parking not allowed in required front yard nor within five feet of side lot line.		
Section 14-2. Lot area is insufficient.	10,000 sf	7,000 sf 7,043 sf
Section 18-1. Front yard is insufficient.	30 ft.	15 ft. 20 ft.

Proposal would be out of character with the predominantly single-family neighborhood, and difficult site creates hazardous parking and traffic conditions. Recommend denial.

VOTED: In reference to Petitions Nos. Z-3656-3657, brought by Edward Vozzella and James F. Mahoney, 2480-2484 Centre Street, West Roxbury, for a forbidden use and three variances to erect two two-family dwellings in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposal would be out of character with the predominantly single-family neighborhood, and difficult site creates hazardous parking and traffic conditions.





Z-3656-57  
2480-2484 CENTRE ST.  
(W.R.)



Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petition No. Z-3659  
Edward Seferian  
221-223 Hancock Street, Dorchester  
near High Street

Gas service station - local business (L-.5) district.

Purpose: to change occupancy from gas service station to repair shop garage and display, storage, and sale of used cars.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal hearing.

Section 8-7. Outdoor storage and display of used motor vehicles is forbidden in an L-.5 district.

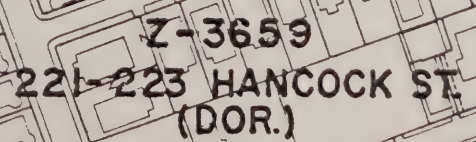
- Repair facility is acceptable provided petitioner complies with Board of Appeal guidelines.

Sale of used cars, with its attendant activity, would tend to have a blighting influence on adjacent residential neighborhood.

Recommend approval with proviso of repair garage and denial of used car sales.

VOTED: In reference to Petition No. Z-3659, brought by Edward Seferian, 221-223 Hancock Street, Dorchester, for a conditional use and a forbidden use in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval of repair garage provided petitioner complies with Board of Appeal guidelines and denial of sale of used cars. This use with its attendant activity would tend to have a blighting influence on adjacent residential neighborhoods.







Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3660  
First and Second Unitarian  
Congregational Church  
64 Marlborough Street, Boston  
at Berkeley Street

Church structure - apartment (H-5-70) district.

Purpose: to change occupancy from church, parish house, and day nursery (54 children) to church, parish house, day nursery (64 children) and miscellaneous hall.

Violation:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. A miscellaneous hall is forbidden in an H-5-70 district.

Nursery and hall facilities will be beneficial to the surrounding residential neighborhood. Proposal complies with conditional use requirements. Recommend approval.

VOTED: In reference to Petition No. Z-3660, brought by First and Second Unitarian Congregational Church, 64 Marlborough Street, Boston, for a conditional use and a forbidden use in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. Nursery and hall facilities will be beneficial to the surrounding residential neighborhood. Proposal complies with conditional use requirements.





BERKELEY

STREET

CLARENDON

DARTMOUTH

MARLBOROUGH

COMMONWEALTH

COMMONWEALTH

NEWBURY

BOYLSTON

ST.

ST.

ST.

Z-3660

64 MARLBOROUGH ST.

(B.P.)

WALK

PARKING

FIRST LUTHERAN CHURCH

CHURCH OF THE COVENANT

FIRST BAPTIST CHURCH

MEMORIAL



Board of Appeal Referrals 9/9/76

Hearing: 9/28/76

Petition No. Z-3662  
Greater Boston Fund for International  
Affairs  
28-30 Mount Vernon Street, Boston  
near Joy Street

Four-story structure - apartment (H-2-65) district.

Purpose: to change occupancy from one-family dwelling to adult education center, community center, school of language and culture, private club, offices.

Violations:

Section 8-7. A school of language and culture is conditional in an H-2-65 district.

Section 8-7. An adult education center or community center with outdoor recreation area less than 20 feet from any lot line is forbidden in an H-2-65 district.

Section 8-7. A private club with outdoor recreation area less than 20 feet from any lot line is forbidden in an H-2-65 district.

Section 8-7. Offices are forbidden in an H-2-65 district.

Proposal would convert property from taxpaying to nontaxpaying status, and activities proposed would have considerable impact on the residential character of the area. Uses would increase congestion, intensify the acute on-street parking shortage, and tend to create noise. There is insufficient evidence to justify granting the proposal. Strong community opposition is indicated. Recommend denial.

VOTED: In reference to Petition No. Z-3662, brought by the Greater Boston Fund for International Affairs, 28-30 Mount Vernon Street, Boston, for a conditional use and three forbidden uses for a change of occupancy from one-family dwelling to adult education center, community center, school of language and culture, private club, and offices in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends denial. Proposal would convert property to tax-exempt status, and proposed activities would have considerable impact on the residential character of the area. Uses would increase congestion, intensify the already acute on-street parking shortage, and tend to create noise. There is insufficient evidence to justify granting the proposal. Strong community opposition is indicated.





Z-3662

28-30 MT. VERNON ST.

(B.P.)



Board of Appeal Referrals 9/9/76

Hearing: 9/28/76

Petition No. Z-3663  
Angelo Zagarelli  
24 Peaceable Street, Brighton  
near Academy Hill Road

Two-story masonry structure - residential (R-.8) district.

Purpose: to change occupancy from four to six apartments.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which meets one-half the requirements of lot area and open space is conditional in an R-.8 district.		
Section 14-2. Lot area is insufficient.	12,500 sf	10,152 sf
Section 17-1. Open space is insufficient.	800 sf	750 sf

Proposed increase in density (basement apartments) is inappropriate. This residential street is narrow and one-way; on-street parking can be accomplished only with right wheels placed on sidewalk. Additional traffic would intensify existing hazardous conditions. Neighbors are opposed.  
Recommend denial.

VOTED: In reference to Petition No. Z-3663, brought by Angelo Zagarelli, 24 Peaceable Street, Brighton, for a conditional use and two variances for a change of occupancy from four to six apartments in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposed increase in density is inappropriate. This residential street is narrow and one-way; on-street parking can be accomplished only with right wheels placed on sidewalk. Additional traffic would intensify existing hazardous conditions. Neighbors are opposed.





WASHINGTON

PARSONS

BRIGHTON  
CONGREGATIONAL  
CHURCH

DELANEY CIRCLE

WINSHIP  
EL SCAROL

DIGHTON

DIGHTON

STREET

LEICESTER

MARKET

AVENUE

CHESTNUT  
HILL

PEACEABLE

ROAD

WINSHIP

PLAYGROUND

Z-3663

24 PEACEABLE ST.  
(BRI.)

SHEPARD

SHANNON

SNOW

NANTASKET

WIRT

POLICE  
STATION

CAMBRIDGE

STREET

WASHINGTON

STREET

STREET

TENNIS COURT



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3668  
Vendome Condominium Trust  
Rolly-Michaux Galleries  
154-170 Commonwealth Avenue and  
290 Dartmouth Street, Boston

Six-story structure - apartment (H-5-70) district.

Purpose: to erect two wall signs and one window sign.

Violation:

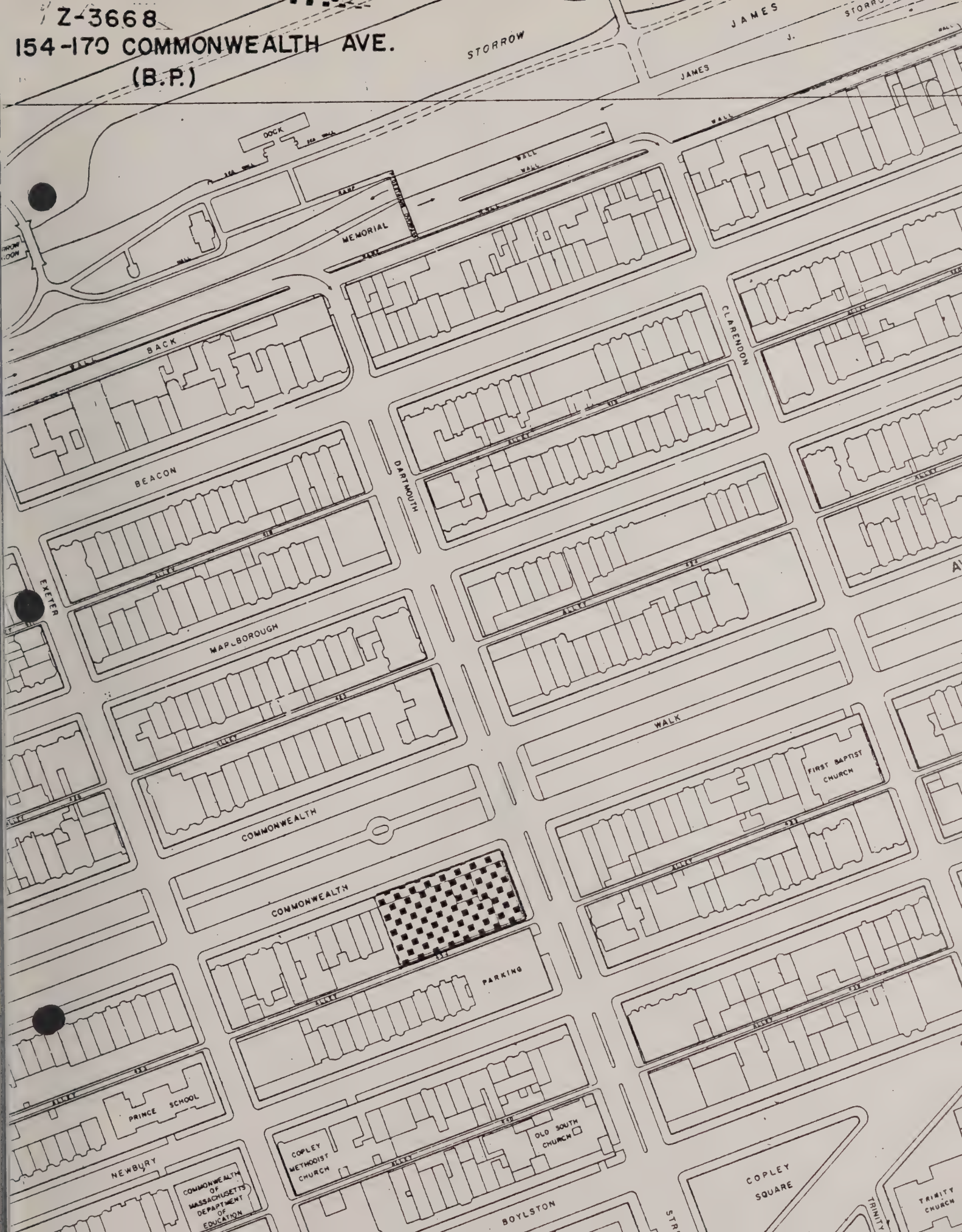
Section 11-1. The number of signs proposed exceeds the number allowed in an H-5-70 district.

Nonilluminated signs indicating first floor art gallery have been reviewed and approved by the Back Bay Architectural Commission.  
Recommend approval.

VOTED: In reference to Petition No. Z-3668, brought by the Vendome Condominium Trust and Rolly-Michaux Galleries, 154-170 Commonwealth Avenue and 290 Dartmouth Street, Boston, for a conditional use to erect three signs in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. Signs have been reviewed and approved by the Back Bay Architectural Commission.



Z-3668  
154-170 COMMONWEALTH AVE.  
(B.P.)





Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3669  
 Thomas J. Benner  
 19-21 Woodward Street, South Boston  
 near Dorchester Avenue

Three-story frame structure - apartment (H-1-50) district.

Purpose: to change occupancy from two-family dwelling and coffee shop  
 to lodging house (12 lodgers)

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 9-2. A lodging house is conditional in an H-1-50 district.		
Section 14-2. Lot area is insufficient.	10,000 sf	1,290 sf

Use, apparently a halfway house for alcoholics, is existing. Vehicular access is severely restricted by the narrowness of this one-way street, and parking can be accomplished only by leaving cars partially on sidewalk. Community is strongly opposed to use, which would also intensify congestion in the area. Recommend denial.

VOTED: In reference to Petition No. Z-3669, brought by Thomas J. Benner, 19-21 Woodward Street, South Boston, for a conditional use and a variance for a change of occupancy from two-family dwelling and coffee shop to lodging house in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends denial. Use, apparently a halfway house for alcoholics, is existing. Vehicular access is severely restricted by the narrowness of this one-way street, and parking can be accomplished only by leaving cars partially on sidewalk. Community is strongly opposed to use, which would also intensify congestion in the area.





Z-3669

19-21 WOODWARD ST.

(S.B.)



## Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3670  
 Edward A. Lang  
 21-23 Pratt Street, Brighton  
 near Linden Street

2½-story frame structure - residential (R-.8) district.

Purpose: To legalize existing occupancy - four apartments.

## Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirements of lot area is forbidden in an R-.8 district.		
Section 14-2. Lot area is insufficient.	9,500 sf	6,666 sf

Proposal congests a structure never intended for multiple occupancy and intensifies existing overcrowded conditions on the residential street.  
Recommend denial.

VOTED: In reference to Petition No. Z-3670, brought by Edward A. Lang, 21-23 Pratt Street, Brighton, for a forbidden use and a variance to legalize existing occupancy of four apartments in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposal congests a structure never intended for multiple occupancy and intensifies existing overcrowded conditions on the residential street.





Z-3670

21-23 PRATT ST.

(BRI.)



Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3671  
L & S Realty  
119-127 Orleans Street, East Boston  
near Gove Street

Two-story masonry structure - apartment (H-1) district.

Purpose: to change occupancy from bottling plant to warehouse.

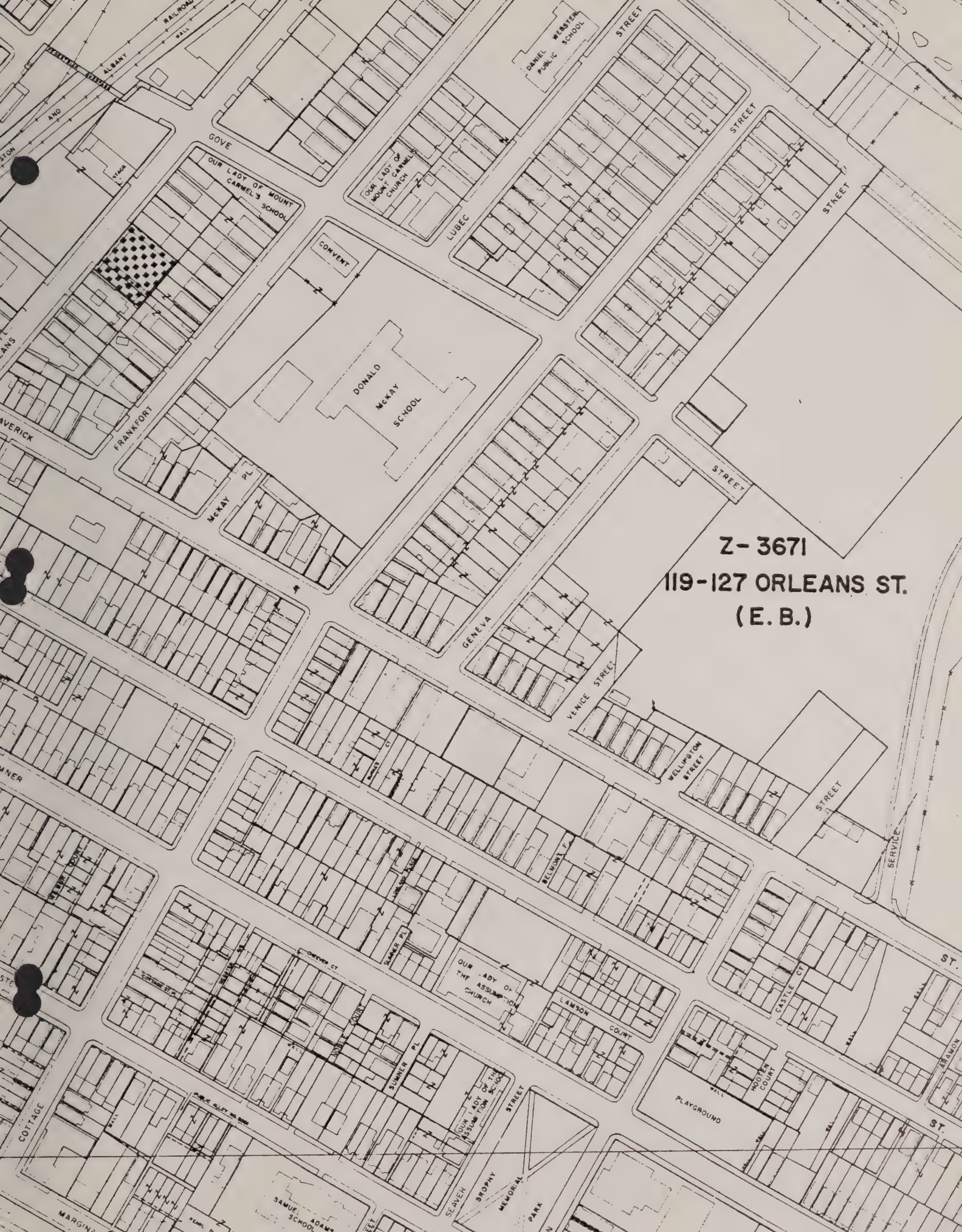
Violation:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Warehouse, for the storage of electrical contracting supplies and fixtures, is existing without apparent adverse impact on this mixed residential-commercial-manufacturing area. Recommend approval.

VOTED: In reference to Petition No. Z-3671, brought by L & S Realty, 119-127 Orleans Street, East Boston, for a change in a nonconforming use for a change of occupancy from bottling plant to warehouse in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Use is existing without apparent adverse impact on this residential-commercial-manufacturing area.





Z-3671  
119-127 ORLEANS ST.  
(E. B.)

Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3672  
Nicholas Shaheen  
167-169 Spring Street, West Roxbury  
near Baker Street

Gas service station - local business (L-.5) district.

Purpose: to erect one-story addition to gas service station.

Violation:

Section 8-7. A gas service station is conditional in an L-.5 district.

Addition of bay to existing office structure would not have an adverse effect on the area. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3672, brought by Nicholas Shaheen, 167-169 Spring Street, West Roxbury, for a conditional use to erect a one-story addition to a gas service station in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.



Z-3672

167-169 SPRING ST.  
(W.R.)





Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petition No. Z-3675  
Colonial Provision Co., Inc.  
301 Southamptn Street, Boston  
near Ellery Street

One-story structure - industrial (I-2) district.

Purpose: to erect two signs - nonilluminated plastic letters.

Violation:

Section 11-2. The top of a sign attached parallel to a building may be no higher than the lowest point of the roof surface of the building.

Structure is bounded by the Southeast Expressway and a bridge viaduct. Signs, which have been reviewed by staff, will tend to relieve identification problems. Architectural features of the building will not be affected. Recommend approval.

VOTED: In reference to Petition No. Z-3675, brought by Colonial Provision Co., Inc., 301 Southamptn Street, Boston, for a conditional use to erect two nonilluminated signs in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval. Signs will tend to relieve identification problems and will not affect architectural features of the structure.





Z-3675

301 SOUTHAMPTON ST.

(B.P.)



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3678  
Savin Hill Yacht Club, Inc.  
400 William T. Morrissey Boulevard,  
Dorchester  
near Fox Point Road

Yacht Club complex - single family (S-.5) district.

Purpose: to install 5,000-gallon underground tank.

Violation:

Section 9-2: A change in a nonconforming use requires Board of Appeal approval.

Proposed storage tank would replace existing obsolete 2,000-gallon facility and require fewer deliveries. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3678, brought by Savin Hill Yacht Club, Inc., 400 William T. Morrissey Boulevard, Dorchester, for a change in a nonconforming use to install a 5,000-gallon underground gasoline tank in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval provided petitioner complies with all City and State safety regulations.